

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: CHU et al.

CONFIRMATION NO: 2299

APPLICATION NO: 09/581,036

FILED: 08/08/2000

TITLE: GENETIC METHOD

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

(37 CFR 1.121)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Notice of Non-Compliant Amendment mailed on August 15, 2008, it was determined that the amendment document filed on December 23, 2004 was considered non-compliant because it failed to meet the requirements of 37 CFR 1.121 or 1.4.

In response, Applicant resubmits the entire "Amendments to the claims" section of applicant's amendment document filed on December 23, 2004. Claim 1 is now provided with the proper deletion of portions relative to the last entered version of claim 1 from the claims entered March 6, 2003.

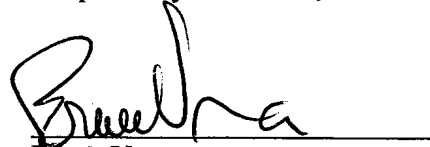
It is believed that no fee is due with this submission. However, if the Commissioner determines that a fee is necessary, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

The Examiner is invited to telephone the undersigned attorney if any questions or concerns arise during examination of the pending claims.

Syngenta Biotechnology, Inc.
3054 E. Cornwallis Road
Durham, NC 27709

Date: August 22, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce Vrana", is written over a horizontal line.

Bruce Vrana
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